Remarks

Claims 1-11 and 14-15 have been amended. Claim 12 has been cancelled.

Applicant is submitting with this Amendment a Request for Continued Examination (RCE) with a payment in the amount of $810.00 for the RCE fee by Electronic Funds Transfer (EFT). Applicant is also submitting with this Amendment a Petition for 3-Months Extension of Time with a 3-Month Extension of Time fee in the amount of $1050.00 by EFT. If any additional fees are required for entry of this Amendment, authorization is granted to charge our deposit account number 03-3415.

The Examiner has rejected applicant's claims 1-15 under 35 USC 102(b) as anticipated by the Stefik, et al. patent (US patent No. 5,629,980). Applicant has cancelled applicant's claim 12, thereby obviating the Examiner's rejection with respect to this claim. Applicant has amended applicant's independent claim 1, and with respect to this claim, as amended, and its respective dependent claims, the Examiner's rejection is respectfully traversed.

Applicant's independent claim 1 has been amended to recite a content utilizing method in a system including a user terminal, a content server for providing a content, a content processing apparatus for processing a content, and a usage right control server for controlling a right of use of the content, the method comprising: a use requesting step of specifying a content to be used and a condition of use therefore in the user terminal and requesting a use of the specified content to the content server, a content package transmitting step of encrypting the specified content with a first encrypting key in the content server and transmitting a content package including the encrypted content package and a license control assistant program to the content processing apparatus, a

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license control information transmitting step of generating, in the content server, license control information including <u>the license identifier</u>, usage right information having <u>the specified</u> condition of use <u>and a content identifier</u> of the specified content, and <u>a second encrypting key</u>, and executing transmission together with a decrypting key corresponding to the <u>first</u> encrypting key to the usage right control server, a ticket transmitting step of generating, in the content server, a ticket including the license <u>identifier and a second decrypting key corresponding to the second encrypting key</u> and transmitting the ticket to the content processing apparatus, an <u>execution step of executing, in the content processing apparatus, the license control assistant program included in the content packet for extracting the license identifier from the ticket and for transmitting the license identifier</u> from the content processing apparatus to the usage right control server, and an <u>authorization step of verifying, in the usage right control server</u>, an authorization for use of the user by communicating with <u>the license control assistant program executed in</u> the content processing apparatus <u>using the second encrypting key contained</u> in the license control information corresponding to the transmitted <u>license</u> identifier, a usage right information transmitting step of transmitting, <u>after the authorization is verified</u>, the usage right information and the <u>first</u> decrypting key from the authorizing server to the content processing apparatus, and a content processing step of decrypting the encrypted content by the <u>first</u> decrypting key in the content processing apparatus and processing the decrypted content based on the usage right information.

The construction recited in applicant's amended independent claim 1 is not taught or suggested by the cited art of record. In particular, the cited Stefik, et al. patent fails to teach or suggest generating in the content server <u>a ticket including the license identifier and a second</u>

decrypting key corresponding to the second encrypting key and transmitting the ticket to the

content processing apparatus. The Examiner has argued that Stefik, et al. discloses the use of a

ticket as a part of the usage rights grammar so that the ticket itself is an identifier of the license

control information and that the ticket is transmitted to the content processing apparatus as a part

of the usage rights which are attached to the digital content. Col. 22, lines 34-50. Applicant has

reviewed the portions of the Stefik, et al. patent and believes that there is no mention in the

portions of Stefik, et al. cited by the Examiner, or anywhere else in Stefik, et al., of generating a

ticket that includes a second decrypting key corresponding to the second encrypting key. Instead,

Stefik, et al. discloses that the ticket, which has a copy or extract of usage rights attached thereto,

is used for authorization to exercise a right by presenting the ticket to a digital ticket agent, whose

type and addressing information are specified on the ticket. Col. 23, lines 1-30. After being

validated or "punched" by the ticket agent, the ticket includes a timestamp of the date and time it

was used. Col. 23, lines 15-21. Thus, in the Stefik, et al. patent, the ticket only includes the usage

rights information and the ticket agent identifier information, and there is no teaching or

suggestion in Stefik, et al. of the ticket including any decrypting keys.

Applicant's amended independent claim 1, which recites a ticket transmitting step of

generating, in the content server, a ticket including the license identifier and a second decrypting

key corresponding to the second encrypting key and transmitting the ticket to the content

processing apparatus, and it's respective dependent claims, thus patentably distinguish over the

cited Stefik, et al. patent.

Moreover, the cited Stefik, et al. patent also fails to teach transmitting a content package

including the encrypted content package and a license control assistant program to the content processing apparatus, executing in the content processing apparatus, the license control assistant program included in the content packet for extracting the license identifier from the ticket and for transmitting the license identifier from the content processing apparatus to the usage right control server, and verifying, in the usage right control server, an authorization for use of the user by communicating with the license control assistant program executed in the content processing apparatus using the second encrypting key. In particular, the Stefik, et al. patent discloses authorizing a usage right transaction, in which an authorization document is given to an authorization server of the repository, which is specified in the authorization document, and the authorization server interprets the authorization. Col. 41, lines 40-57. Specifically, in Stefik, et al., when a remote authorization server is required, the generic authorization server sets up a communication channel and performs a registration process with the remote repository, and then invokes a "Play" transaction with the remote repository by supplying the authorization document as the digital work to be played, and by using the remote authorization server as the "player." Col. 41, line 58 to Col. 42, line 5. The authorization server "plays" the authorization document by decrypting it using a public key of the master repository that issued the certificate or a session key from the repository that transmitted it and by performing various tests, and if all of the steps are completed satisfactorily, the authorization server grants authorization. Col. 42, lines 6-24.

Thus, the Stefik, et al. patent only discloses performing authorization by connecting to a usage right control server, i.e. an authorization server, and transmitting an authorization document, including usage right information, to the usage right control server, by decrypting the

authorization document in the usage right control server with a public or private key and by checking the validity of the authorization. There is, however, no mention in Stefik, et al. of transmitting <u>any license control assistant program</u> to the content processing apparatus, which is <u>used for extracting a license identifier from a ticket and transmitting the license identifier to the</u> <u>usage control server</u>, and no mention of the <u>usage right control server verifying authorization by</u> <u>communicating with the license control assistant program using an encrypting key corresponding</u> <u>to the transmitted license identifier</u>.

Applicant's amended claim 1, which recites <u>transmitting a content packages including</u> <u>the encrypted content package and a license control assistant program to the content processing</u> <u>apparatus, executing in the content processing apparatus, the license control assistant program</u> <u>included in the content packet for extracting the license identifier from the ticket and for</u> <u>transmitting the license identifier from the content processing apparatus to the usage right</u> <u>control server, and verifying in the usage right control server an authorization for use of the user</u> <u>by communicating with the license control assistant program executed in the content processing</u> <u>apparatus using the second encrypting key contained in the license control information</u> <u>corresponding to the transmitted license identifier</u>, and its respective dependent claims, thus patentably distinguish over the Stefik, et al. patent.

In view of the above, it is submitted that applicant's claims, as amended, patentbaly distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

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Respectfully submitted,

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